

IN THE DISTRICT COURT OF THE FIFTEENTH JUDICIAL DISTRICT OF
THE STATE OF OKLAHOMA SITTING IN AND FOR SEQUOYAH COUNTY

THE STATE OF OKLAHOMA,
Plaintiff,

vs.

THOMAS GEORGE BURGER II

ADDR: 106 No Name Street
Sallisaw, OK 74955

SSN: [REDACTED]

DOB: 04/29/79

Defendant(s),

SEQUOYAH COUNTY, OKLAHOMA
FILED
IN DISTRICT COURT

AUG 28 2007

MAUDEEN VANN, COURT CLERK
BY _____ DEPUTY

Case No. CF-2007-418

INFORMATION

FOR:

- COUNT 1: OBTAIN PROPERTY BY DECEPTION~ 21 O.S. § 1541.2 a FELONY
COUNT 2: OBTAINING CASH OR MERCHANDISE BY BOGUS CHECK/FALSE PRETENSES~ 21
O.S. § 1541.1 a MISDEMEANOR
COUNT 3: OBTAINING CASH OR MERCHANDISE BY BOGUS CHECK/FALSE PRETENSES~ 21
O.S. § 1541.1 a MISDEMEANOR
COUNT 4: OBTAINING CASH OR MERCHANDISE BY BOGUS CHECK/FALSE PRETENSES~ 21
O.S. § 1541.1 a MISDEMEANOR
COUNT 5: OBTAINING CASH OR MERCHANDISE BY BOGUS CHECK/FALSE PRETENSES~ 21
O.S. § 1541.1 a MISDEMEANOR
COUNT 6: POSSESSION OF FASLE IDENTIFICATION ~ 21 O.S. § 1550.41 A (3) a
MISDEMEANOR

STATE OF OKLAHOMA, COUNTY OF SEQUOYAH:

I, **Jerry S. Moore**, the undersigned District Attorney of said County, in the name and by the authority, and on behalf of the State of Oklahoma, give information that in said County of Sequoyah and in the State of Oklahoma, **THOMAS GEORGE BURGER II**, did then and there unlawfully, willfully, knowingly and wrongfully commit the crime(s) of:

COUNT 1 OBTAIN PROPERTY BY DECEPTION~ a FELONY, on or about the 4th day of June, 2007, Thomas George Burger II did unlawfully, willfully, knowingly, or intentionally and feloniously open an account at the National Bank of Sallisaw with a check in the amount of \$45,730. which he knew to be counterfeit and did obtain money/merchandise by writing checks on the account in the amount of over \$10,000

COUNT 2 OBTAINING CASH OR MERCHANDISE BY BOGUS CHECK/FALSE PRETENSES~ a MISDEMEANOR, on or about the 5th day of June, 2007, by willfully, knowingly, wrongfully and unlawfully and with intent to cheat and defraud Murphy USA, and obtain from the said victim cash or merchandise of the total value of \$65.58, good and lawful money of the United States of America, by means of and by the use of a certain bogus check in words and figures as set forth and exhibited below and made a part hereof, the said defendant then and there well knowing that he/she had insufficient funds at said bank, and that said check was worthless, false, bogus and no value, did utter and deliver the same to the said victim; with the fraudulent and wrongful intent then and there to cheat and defraud the said victim.

This crime is punishable by a fine of up to \$1,000 or imprisonment for up to 1 year, or both

COUNT 3 OBTAINING CASH OR MERCHANDISE BY BOGUS CHECK/FALSE PRETENSES~ a MISDEMEANOR, on or about the 7th day of June, 2007, by willfully, knowingly, wrongfully and unlawfully and with intent to cheat and defraud Murphy USA, and obtain from the said victim cash and or merchandise of the total value of \$44.51, good and lawful money of the United States of America, by means of and by the use of a certain bogus check in words and figures as set forth and exhibited below and made a part hereof, the said defendant then and there well knowing that he/she had insufficient funds at said bank, and that said check was worthless, false, bogus and no value, did utter and deliver the same to the said victim; with the fraudulent and wrongful intent then and there to cheat and defraud the said victim.

This crime is punishable by a fine of up to \$1,000 or imprisonment for up to 1 year, or both

COUNT 4 OBTAINING CASH OR MERCHANDISE BY BOGUS CHECK/FALSE PRETENSES~ a MISDEMEANOR, on or about the 8th day of June, 2007, by willfully, knowingly, wrongfully and unlawfully and with intent to cheat and defraud Murphy USA, and obtain from the said victim Cash and/or Merchandise of the total value of \$40.31, good and lawful money of the United States of America, by means of and by the use of a certain bogus check, the said defendant then and there well knowing that he/she had insufficient funds at said bank, and that said check was worthless, false, bogus and no value, did utter and deliver the same to the said victim; with the fraudulent and wrongful intent then and there to cheat and defraud the said victim.

This crime is punishable by a fine of up to \$1,000 or imprisonment for up to 1 year, or both

COUNT 5 OBTAINING CASH OR MERCHANDISE BY BOGUS CHECK/FALSE PRETENSES~ a MISDEMEANOR, on or about the 10th day of June, 2007, by willfully, knowingly, wrongfully and unlawfully and with intent to cheat and defraud Murphy USA, and obtain from the said victim cash and/or merchandise of the total value of 59.58, good and lawful money of the United States of America, by means of and by the use of a certain bogus check, the said defendant then and there well knowing that he had insufficient funds at said bank, and that said check was worthless, false, bogus and no value, did utter and deliver the same to the said victim; with the fraudulent and wrongful intent then and there to cheat and defraud the said victim.

This crime is punishable by a fine of up to \$1,000 or imprisonment for up to 1 year, or both

COUNT 6 POSSESSION OF FASLE IDENTIFICATION = a MISDEMEANOR, on or about the 21st day of August, 2007, Thomas George Burger II did willfully, wrongfully and unlawfully possess a Social Security Card in the name of Thomas George Burger II on which card the last two number had been altered.

This crime is punishable by a fine of \$25.00 - \$200.00

JERRY S. MOORE
DISTRICT ATTORNEY

By: _____

Assistant District Attorney

Subscribe and sworn to before me this 28th day of August, 2007.

THE STATE OF OKLAHOMA,)	IN THE DISTRICT COURT OF
Plaintiff,)	SEQUOYAH COUNTY, STATE
)	OF OKLAHOMA
vs.)	CASE NO. CF-2007-410
)	SEQUOYAH COUNTY, OKLAHOMA
THOMAS GEORGE BURGER II,)	FILED
Defendant.)	IN DISTRICT COURT

AUG 28 2007

FORMER CONVICTIONS

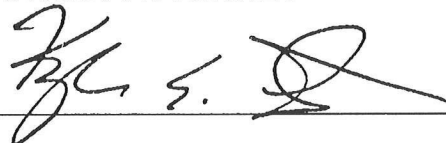
MAUDEEN VANN, COURT CLERK
BY _____ DEPUTY

THE STATE OF OKLAHOMA FURTHER ALLEGES that the same Thomas George Burger was heretofore on the 20th day of March, 2001, in Case No. 51781 , in the District Court of Bell County, State of Texas , a court of competent jurisdiction, convicted of the crime of INTERFERING WITH CHILD CUSTODY, said defendant being represented by counsel, and said conviction having become a final judgment in the case;

THE STATE OF OKLAHOMA FURTHER ALLEGES that the same Thomas George Burger was heretofore on the 14th day of November, 2001, in Case No. 52686, in the District Court of Bell County, State of Texas , a court of competent jurisdiction, convicted of the crime of BAIL JUMPING, said defendant being represented by counsel, and said conviction having become a final judgment in the case;

**JERRY S. MOORE,
DISTRICT ATTORNEY**

BY: _____



Assistant District Attorney



IN THE DISTRICT COURT OF SEQUOYAH COUNTY

STATE OF OKLAHOMA

Page 1 of 4

STATE OF OKLAHOMA
Plaintiff,

vs.

BURGER II, THOMAS GEORGE
Defendant.

Case No. CF-07-418

SEQUOYAH COUNTY, OKLAHOMA
FILED
IN DISTRICT COURT

AUG 28 2007

MAUDEEN VANN, COURT CLERK
BY _____ DEPUTY

PROBABLE CAUSE AFFIDAVIT FOR ARREST WITHOUT WARRANT

Comes now the undersigned Affiant, and states upon Oath or Affirmation that the following information and facts are correct to the best of the Affiant's knowledge and belief. The undersigned believes that probable cause exists for the detention of the below named ARRESTEE for the below listed crimes committed on the below listed date, in the City of Sallisaw, County of Sequoyah, Oklahoma.

Arrestee Name	BURGER II, THOMAS GEORGE		
SSN	[REDACTED]	DOB	04/29/1979
Sex	Male	Race	White
Hair	Blond or Strawberry	Eye	Blue
Ethnicity	Not Hispanic Origin	Build	Medium Build
HGT	5 Ft. 8 In.	WGT	220 lbs.
Address	106 No Name #18		
City	Sallisaw		
State	Oklahoma 74955		

Date Of Arrest	08/21/2007	Time Of Arrest	09:42
Arrest Location	Dogwood St. and Ida St.		
Arrest City	Sallisaw		
Offense Location	106 No Name #18, Sallisaw, OK, 106 No Name #18, Sallisaw, OK/1000 South Kerr Blvd, Sallisaw, OK, 106 No Name #18, Sallisaw, OK		
Offense City	Sallisaw		

Offense(s) Committed / Anticipated Charge(s)

1. 21 O.S. § 1955(A) • Felony penalty for violation of Oklahoma Computer Crimes Act.
2. 21 O.S. § 421(A)(4) • Conspiracy: Two or more persons cheat and defraud any person of any property by any means of criminal.
3. 21 O.S. § 422 • Conspires outside State against peace of the State.



IN THE DISTRICT COURT OF SEQUOYAH COUNTY

STATE OF OKLAHOMA

Page 2 of 4

Case No. :

Defendant : BURGER II, THOMAS GEORGE

Facts & Circumstance that support probable cause to arrest the above named person are (Continued)

4. 21 O.S. § 1550.2 • Credit card or debt card fraud, If the amount obtained is more than \$500.
5. 21 O.S. § 1713 • Knowingly receives any property that was stolen, embezzled, obtained by false pretense or robbery, or conceals, withholds such property.
6. 21 O.S. § 1550.41(B)(3) • Displays or possesses any counterfeit or fictitious identification document.
7. 21 O.S. § 1541.3 • Makes, draws, utters, or delivers 2 or more false or bogus checks, drafts, or orders in pursuance of a common scheme or plan to cheat or defraud, If total sum value is \$1,000 or more .
8. AFCF x 3

Facts & Circumstance that support probable cause to arrest the above named person are

That at 07:41 AM hours, Officer John Weber had stopped a white Hummer 3 with expired tags. That the passenger in the vehicle was identified as Thomas Burger, I, Det. Girdner, having prior knowledge of a counterfeit check that Mr. Burger had opened an account with at the National Bank of Sallisaw, 1000 South Kerr Blvd, on 06-04-2007, arrived at the location of South Dogwood and Ida to speak with Mr. Burger.

That Mr. Burger identified himself and I advised him who I was and why I wanted to speak with him. Mr. Burger advised that he did open an account at the National Bank of Sallisaw with a check for \$45,730. in June of 07, but the bank advised to him that the check was counterfeit and he did not do any other business with the bank. I informed Mr. Burger that there had been four checks cashed at Murphy USA, (6-5-07 \$65.58, 6-7-07 \$44.51, 6-8-07 \$40.31, 6-10-07 \$59.58=209.98) That all of these checks had been written just one to six days after the account was opened. That the National Bank advised Mr. Burger that he could not use the counter checks given to him on this opened account until the check had cleared. That on 6-7-07 the check that Mr. Burger had deposited and was writing checks on was a counterfeit per JP Morgan Chase Bank, Columbus, Ohio. That Officer Weber observed three Money Gram checks in the amounts of \$850.00 each, made payable to Thomas Burger and endorsed by Thomas Burger, dated 7-23-07, and a check from CapitalBank made payable to Thomas Burger dated 8-1-07 in the amount of \$6,800.00, that had not been cashed. That WF National Bank, MN, was

contacted & they advised 3 money grams were cashed on 6/18/07 in the amounts of \$20.00, \$150.00, & \$68.78

That Mr. Burger was arrested on the warrant and traffic stop on Dogwood and Ida



IN THE DISTRICT COURT OF SEQUOYAH COUNTY

STATE OF OKLAHOMA

Page 3 of 4

Case No. :

Defendant : BURGER II, THOMAS GEORGE

Facts & Circumstance that support probable cause to arrest the above named person are

and transported to the police department for booking. That after Officer Weber finished with Burger I read Miranda to Burger and he agreed to Waive his rights and speak with us. That Mr. Burger advised that he had received other checks from the people in New York to cash and set up accounts with and send money back to the man, Tommie Troyer, in New York. That Mr. Burger advised that he kind of thought there might be something wrong with the idea, however kept cashing the checks. That Mr. Burger had a copy of his social security card in his name and number except the last two numbers on the card had been changed. That the copy of the card was only on paper and Mr. Burger had the counterfeit social security card in the window of his wallet and the original card in one of the sleeves of the wallet. That Mr. Burger had a counter check on the Arvest Bank account, #0073960025, made out to Best Buy on 8-18-07 in the amount of \$1485.78 and advised that he started to purchase a computer in Fort Smith, Arkansas with the check and decided not to. That Mr. Burger had in his possession several bank cards, Arvest bank card and gift card, Woodforest National Bank card (TX), Armstrong Bank, and Bank of America (TX) and he advised that opened all of the accounts, except Armstrong Bank, with the checks he received from New York.

That Mr. Burger had prior convictions on his record involving Bogus Checks. That Mr. Burger advised that he wanted to consult an attorney and at that time the interview stopped.

AFCF: No ☐ / Yes ☒ Times (1) ☐ (2) ☐ or 3 _____

Upon oath, I declare that the above information is true and correct to the best of my knowledge and belief.

Officer's Name GIRDNER, SANDRA Badge No. 912

Det. Sandra Girdner
(Signature of Affiant)

Subscribed and sworn before me this 22 August 2007

My commission number 02011930

My commission expires 7-12-2010

Patsy Allen
Notary Public

☐ Yes ☒ No Sheriff's Affidavit Required



IN THE DISTRICT COURT OF SEQUOYAH COUNTY

STATE OF OKLAHOMA

Page 4 of 4

Case No. :

Defendant : BURGER II, THOMAS GEORGE

☐ Bond Posted ☐ Appear in Court

BOND POSTED

A probable cause determination is not necessary, the arrestee bonded out of jail on the _____ at _____

APPEAR IN COURT

The undersigned Judge of this Court having conducted a probable cause determination for the above named person's arrest without warrant by sworn testimony and/or affidavit finds:

☒ This affidavit/testimony contains sufficient facts showing probable cause for the person's arrest existed at the time of the arrest. Arraignment before a court is ordered on 8/29 at 10:10 AM

☒ The Court sets an appearance Bond in the amount of \$ APC

☐ Bond in the amount of \$ _____ For the crime of _____

☐ Bond in the amount of \$ _____ For the crime of _____

☐ Bond in the amount of \$ _____ For the crime of _____

☐ Bond in the amount of \$ _____ For the crime of _____

☐ Bond in the amount of \$ _____ For the crime of _____

☐ The Court denies Bond at this time.

☐ This affidavit/testimony contains insufficient facts to show probable cause for the person's arrest existed at the time of arrest. The arrestee is ordered released from custody immediately.

Date _____ Time _____

I make the preceeding findings and order pursuant to Gerstein v. Pugh, 420 U.S. 103 (1975), and County of Riverside v. McLaughlin, No. 89-1817 (U.S. May 13, 1991) (Lexis 2528):

Judge

Date

August 23, 2007 @ 10:50 AM

Judge's Signature

IN THE DISTRICT COURT OF SEQUOYAH COUNTY
STATE OF OKLAHOMA

SEQUOYAH COUNTY, OKLAHOMA
FILED
IN DISTRICT COURT

SEP 12 2007

MAUDEEN VANN, COURT CLERK
BY _____ DEPUTY

STATE OF OKLAHOMA
PLAINTIFF,

-VS-

Thomas George Burger II
DEFENDANT

CASE NO. CF-07-418

RESTITUTION SCHEDULE - EXHIBIT "A"

CONDITION OF PROBATION
(TO BE ATTACHED AND MADE A PART OF THE RULES AND CONDITIONS OF PROBATION)

The following is a Schedule of Restitution to be made by Thomas G. Burger, Defendant herein, and said Defendant hereby agrees to make said restitution according to the terms set out herein as a Special Rule and Condition of Probation imposed by the Court. The total amount of the restitution is \$ 209.98. Restitution is to be made by payments of \$ 50.00 on or before the 12th day of October 20 07 and each month thereafter until restitution has paid in full or until further order of the Court. Each payment specified is to be made only by cashier's check or money order made payable to D.A. Restitution and remitted to: 234 E. Cherokee, Wagoner, OK 74467. Each payment must have your name and the case number on it for proper credit.

TOTAL DUE: \$ 209.98

SCHEDULE OF RECIPIENT(S)

NAME	ADDRESS	PHONE#	AMOUNT
<u>Murphy U.S.A.</u>	<u>West Ruth Sallisaw</u>		<u>\$209.98</u>

[Signature]
RICHARD L. GRAY, DISTRICT ATTORNEY
DISTRICT 27, STATE OF OKLAHOMA

[Signature]
ASSISTANT DISTRICT ATTORNEY

[Signature]
ATTORNEY FOR DEFENDANT

[Signature]
DEFENDANT

106 No Name #18
ADDRESS

Sallisaw OK 74955 469 360 6762
CITY STATE ZIP PHONE

[Signature]
JUDGE OF THE DISTRICT COURT

MONEY ORDER/CASHIER'S CHECK PAYABLE TO:
DA RESTITUTION

MAIL TO: D.A. RESTITUTION

234 E. Cherokee
Wagoner, OK 74467
1-888-234-8883

ANY QUESTIONS: 1-918-485-2058
RESTITUTION SPECIALIST

SEND STAMPED SELF-ADDRESSED ENVELOPE FOR RETURN RECEIPT
A BOOKKEEPING FEE OF \$1 WILL BE COLLECTED WITH EACH INDIVIDUAL PAYMENT
INTEREST CAN ACCRUE MONTHLY @ STATE RATE OF _____ %

WHITE - COURT CLERK

YELLOW - DISTRICT ATTORNEY

PINK - DEFENSE ATTORNEY

**In The District Court In And For Sequoyah County,
State of Oklahoma**

THE STATE OF OKLAHOMA,)
)
) **PLAINTIFF**) **CASE NO: CF-2007-418**
)
VS.)
)
) **THOMAS GEORGE BURGER II,**)
) **DOB: 4/29/79**)
) **SS# 385-84-7364**)
) **DEFENDANT.**)

SEQUOYAH COUNTY, OKLAHOMA
FILED
IN DISTRICT COURT
SEP 12 2007
MAUBREEN VANN, COURT CLERK
BY _____ DEPUTY

J U D G M E N T A N D S E N T E N C E

Now, on this 12TH day of SEPTEMBER, 2007 this matter comes on before the undersigned Judge, for sentencing and the Defendant, **THOMAS GEORGE BURGER II**, appears personally and by his attorney of record, AL HOCH, the State of Oklahoma represented by Assistant District Attorney, KYLE E. WATERS, and the Defendant, having previously:

- (X) Entered a plea of guilty
() Entered a plea of Nolo Contendere
() Found guilty by jury
() Found guilty by Judge after waiver of jury trial
to/of the crime(s) of:

COUNT I: OBTAIN PROPERTY BY DECEPTION~ 21 O.S. § 1541.2 a **FELONY**
COUNT II: OBTAINING CASH OR MERCHANDISE BY BOGUS CHECK/FALSE
PRETENSES~ 21 O.S. § 1541.1 a **MISDEMEANOR**
COUNT III: OBTAINING CASH OR MERCHANDISE BY BOGUS CHECK/FALSE
PRETENSES~ 21 O.S. § 1541.1 a **MISDEMEANOR**
COUNT IV: OBTAINING CASH OR MERCHANDISE BY BOGUS CHECK/FALSE
PRETENSES~ 21 O.S. § 1541.1 a **MISDEMEANOR**
COUNT V: OBTAINING CASH OR MERCHANDISE BY BOGUS CHECK/FALSE
PRETENSES~ 21 O.S. § 1541.1 a **MISDEMEANOR**
COUNT VI: POSSESSION OF FALSE IDENTIFICATION ~ 21 O.S. § 1550.41 A (3) a
MISDEMEANOR

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED by the Court that the Defendant, **THOMAS GEORGE BURGER II**, is guilty of the above-described offense(s) and is sentenced as follows:

TERM OF IMPRISONMENT

COUNT ____: Sentenced to a term of _____ imprisonment;

BALANCE TO BE SUSPENDED UPON SUCCESSFUL COMPLETION OF
all under the custody and control of the Oklahoma Department of Corrections.
These terms to be served () concurrently, or () consecutively;

TERM OF IMPRISONMENT - (PART SUSPENDED)

COUNT ____: Sentenced to a term of _____ imprisonment;

with all except the first _____ suspended under the custody and control of the Oklahoma Department of Correction pursuant to the rules and conditions of probation entered by the Court.
These terms to be served () concurrently, or () consecutively;

TERM OF IMPRISONMENT - (ALL SUSPENDED)

COUNT I: Sentenced to a term of FIVE (5) YEARS imprisonment;
COUNT II: Sentenced to a term of ONE (1) YEAR imprisonment;
COUNT III: Sentenced to a term of ONE (1) YEAR imprisonment;

COUNT IV : Sentenced to a term of ONE (1) YEAR imprisonment;
COUNT V : Sentenced to a term of ONE (1) YEAR imprisonment;
COUNT VI : Sentenced to a term of ONE (1) YEAR imprisonment;

under the custody and control of the Oklahoma Department of Corrections all of said term(s) of imprisonment suspended pursuant to the rules and conditions of probation entered by the Court. These terms to be served (X) concurrently, or () consecutively;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that in addition to the preceding term(s), the Defendant is also sentenced to:

FINE

() The defendant shall pay a fine of \$ _____ () immediately or () on or before _____, 20____, at the rate of \$ _____ per month, or within _____ days of release from the Department of Corrections.

() The payment of a fine of \$ _____ is suspended.

() The defendant shall report to the District Court of Sequoyah County within _____ days of release for a hearing on the defendant's ability to pay fines and costs pursuant to Section VIII of the rules of the Court of Criminal Appeals, 22 O.S. Chapter 18, App.

COSTS, VCA, RESTITUTION

(X) The defendant shall pay costs, fees, and restitution in accordance with the schedule attached as Exhibit "A". (SEE RULES & CONDITIONS)

RULES AND CONDITIONS OF PROBATION

(X) The rules and conditions as ordered by the court and signed and acknowledged by the defendant are attached as hereto.

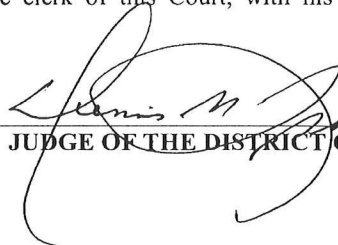
ATTORNEY FEES

() The defendant shall pay court-appointed attorney fee amount of \$ 250⁰⁰ on or before _____, 20____, to _____.

It is further ordered that judgment is hereby entered against the Defendant as to the fines, court costs and assessments set forth above.

The Court further advised the Defendant of his rights to appeal to the Court of Criminal Appeals of the State of Oklahoma, and of the necessary steps to be taken by him to perfect such appeal, and that if he desired to appeal and was unable to afford counsel and a transcript of the proceedings, that the same would be furnished by the State without cost to him.

In the event the above sentence is for incarceration in the Department of Corrections, the sheriff of Sequoyah County, Oklahoma, is ordered and directed to deliver the Defendant to the Lexington Assessment and Reception Center at Lexington, Oklahoma, and leave therewith a copy of this Judgment and Sentence to as warrant and authority of the imprisonment of the Defendant as provided herein. A second copy of this Judgment and Sentence to warrant and authority of the sheriff for the transportation and imprisonment of the Defendant as herein before provided. The sheriff to make due return to the clerk of this Court, with his proceedings endorsed thereon.


JUDGE OF THE DISTRICT COURT

(SEAL)

ATTEST:

MAUDEEN VANN, COURT CLERK

_____, DEPUTY CLERK

IN THE DISTRICT COURT OF
SEQUOYAH COUNTY
STATE OF OKLAHOMA

) Defendant: THOMAS GEORGE BURGER II

) Case No. CF-2007-418

) Date 9/12/07

SEQUOYAH COUNTY, OKLAHOMA
FILED
IN DISTRICT COURT
SEP 12 2007
BY MAUDEEN VANN, COURT CLERK
DEPUTY

RULES AND CONDITIONS OF PROBATION

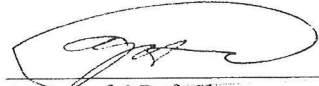
1. I will at the end of each month, until my final release (by the Court), make a written report. I will state whether I have been constantly at work during the month and if not, why not; I will state how much I have earned together with a general state of my environment and progress.
2. I will not use or be in possession of intoxicants of any kind or alcoholic beverages, nor use or be in possession of narcotic drugs. I will not visit places where intoxicants or drugs are unlawfully sold, dispensed or used. I will understand that I am not to go into or loiter around beer taverns or pool halls.
3. I will not leave the county in which I reside or the State of Oklahoma without written permission of the Probation and Parole Officer, nor will I change my address or employment without first consulting the Probation and Parole Officer.
4. I will not, in any way, communicate with persons on Parole, ex-convicts, or inmates of any penal institutions, nor will I associate with persons having a criminal record. *except parents*
5. I will promptly and truthfully answer all inquiries directed to me by Probation and Parole authorities and I will allow a representative of the Probation and Parole Division to visit me at my home, place of employment or elsewhere, and I will carry out all instructions he may give me.
6. I understand that I am to remain under supervision by the Probation and Parole Division until I serve my maximum term or may be granted a Pardon by the Governor of the State of Oklahoma.
7. I understand that it will be a violation of my probation to own or carry firearms of any type, to perpetuate any falsehood or deception, to misrepresent any truth to any branch of Government or any representative thereof.
8. I understand that I must support myself and all my dependents without public assistance so long as I am physically able to do so; failure to do my duty to my dependants shall constitute grounds for revocation of my Parole, Probation or Conditional Release.
9. I will refrain from violation of any City, State or Federal law.
10. I will abide by my curfew from 12 midnight until 5:00 a.m. daily unless I have written permission from my probation officer.
11. I hereby waive extradition to the State of Oklahoma from any jurisdiction in or outside the United States where I may be found and also agree that I will not contest any effort by any jurisdiction to return me to the State of Oklahoma.
12. I will not refuse a breath-alcohol test if arrested for DUI, APC or an alcohol related offense.
13. I hereby waive my State and Federal constitutional rights of protection from unreasonable searches and seizures if my probation officer has a reasonable suspicion exists in their mind.
14. I further understand that if I do not possess a high school diploma or a G.E.D. that I will acquire my G.E.D. within eighteen months or show proof of my inability to acquire the same to the Court, in writing, within the eighteen months.
15. **SPECIAL CONDITIONS:** The defendant is to pay probation fees of \$20 per month as well as the total fees of: (Court Costs, Court Appointed Attorney fees, OSBI lab fees) of \$ _____ within _____ months at a rate of not less than \$ _____ per month. Payments are to begin on the 5th day of _____, 20____ and by the 5th of each month thereafter until paid in full. All payments are to be paid to the Sequoyah County Court Clerk's Office. (*Set out how the money is to be distributed*).

\$500 FINE PLUS COURT COSTS; \$50.00 VICTIM CRIME FUND; \$209.98 DA
RESTITUTION TO BE PAID TO THE DISTRICT ATTORNEY'S OFFICE.

- release*
16. Defendant to report to DOC Probation & Parole Office within 72 hours for intake.

I hereby certify that I have carefully read the above rules and conditions and fully understand what my obligations are while under supervision of the Division of Probation and Parole. I

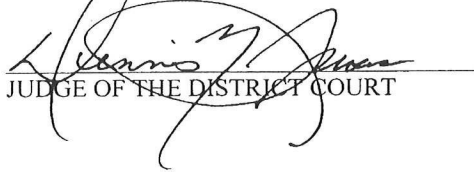
further acknowledge receipt of a copy of these rules and conditions which I agree to study from time to time so that I will be fully informed at all times regarding my obligations while under supervision. I further understand that these rules may not be terminated, modified or suspended by any probation officer, law enforcement officer or any other person without the written approval of the sentencing Judge and notice to the District Attorney's Office.



Attorney for Defendant



Probationer



JUDGE OF THE DISTRICT COURT

Defendant's Mailing Address:

106 NO NAME #LIF

SALLISAW OK 74935

**In the District Court in and for Sequoyah County
State of Oklahoma**

State of Oklahoma,

Plaintiff,

vs.

Thomas George Burpx II
Defendant

Case No. CF-

07-418

SEQUOYAH COUNTY, OKLAHOMA
FILED
IN DISTRICT COURT
SEP 14 2007
MAUDEEN VANN, COURT CLERK
BY *[Signature]* DEPUTY

WAIVER OF PRELIMINARY HEARING

Now on this 12 day of September, 2007, the above styled case comes on for preliminary hearing. The defendant appears in person and represented by his attorney of record, At Heck, the State of Oklahoma appears by its Assistant District Attorney. Thereupon the defendant herein acknowledges having been advised of the right to a preliminary hearing. That in said hearing the State of Oklahoma must prove to the satisfaction of the Court that the crime as alleged in the information was, in fact, committed and there is probable cause to believe that the defendant committed said crime. That if said burden was not met then the case would be dismissed and the bond exonerated.

The defendant is further advised that at said hearing that he/she has the right to cross examine any of the State's witnesses and to call witnesses on his/her behalf. And further, the defendant is advised of the right at the hearing to limited discovery of the State's case in chief.

Having these rights in mind, the defendant herein, waives all of the above rights with respect to a preliminary hearing in this matter.

[Signature]

Defendant

[Signature]

Attorney for Defendant

WAIVER OF JURISDICTION OF EXAMINING MAGISTRATE

The defendant is further advised that neither the examining magistrate nor the Special Judge has the jurisdiction to proceed further with the case unless affirmatively waived. Having these rights in mind, the defendant hereby waives his/her rights to object to any jurisdictional defects of the Court.

[Signature]

Defendant

[Signature]

Attorney for Defendant

COURT MINUTE OF PRELIMINARY HEARING

The defendant in the above styled case having knowingly and intelligently waived his/her rights to the preliminary hearing and there being no objection by the State of Oklahoma, the Court accepts the defendant's waiver and hereby binds the defendant over to stand trial in the District Court of Sequoyah County, State of Oklahoma, on the charges as set out in the information as filed in this case.

[Signature]

JUDGE OF THE DISTRICT COURT

DISTRICT COURT OF MUSKOGEE, WAGONER, CHEROKEE
AND SEQUOYAH COUNTIES

(FIFTEENTH JUDICIAL DISTRICT)

(ORDER)

SEQUOYAH COUNTY, OKLAHOMA
FILED
IN DISTRICT COURT

NOV 27 2007

MAUDEEN VANN, COURT CLERK
BY _____ DEPUTY

Date: November 20, 2007

Defendant: Thomas G. Burger

Case #: SY-CF-2007-418

Charge: Obtaining Property By Deception, Obtaining Cash or Merchandise by Bogus
Check/False Pretenses – 4 counts and Possession of False Identification.

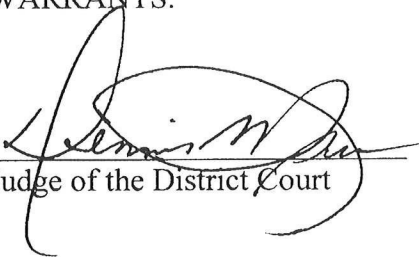
Sentence Date: September 12, 2007

Expiration Date: September 11, 2012

Date of Last Contact with Defendant: November 15, 2007

Last Known Address: 307 Knapp Highway, Brooklyn, MI 49230

THE DEPARTMENT OF CORRECTIONS IS HEREBY RELIEVED FROM
FURTHER ACTIVE SUPERVISION OF THIS DEFENDANT IN THIS PARTICULAR
CASE. THIS FORM DOES NOT CANCEL ANY OUTSTANDING ARREST
WARRANTS.



Judge of the District Court

Assistant District Attorney